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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,629	05/31/2000	Samuel A. Cooper	15676-223495	4026

33072 7590 07/28/2003

KAGAN BINDER, PLLC  
SUITE 200, MAPLE ISLAND BUILDING  
221 MAIN STREET NORTH  
STILLWATER, MN 55082

EXAMINER

RUTLEDGE, DELLA J

ART UNIT PAPER NUMBER

2851

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/583,629

Applicant(s)

COOPER ET AL.

Examiner

D. Rutledge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2002 and 06 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The Information Disclosure Statement has been review, however, there are question concerning some of the statements made therein. It is not clear to which application the applicant is referring to as "the above-identified application" in regard to issue of potential sale or disclosure. On what date was an offer to/for sale made? Did the "synchronization" comprise any other features/limitations of the claims of this application? Further prosecution of this application will be delayed until the possible issue of a prior sale or disclosure is resolved.

### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1 – 11, 17, 22 - 30 rejected under 35 U.S.C. 103(a) as being unpatentable over the Prior Art of Fig. 1 in view of Moyer et al. (US 6,378,022) or Skeirik (US 5,058,043).

The Prior Art of Fig. 1 has the basic serial process. The secondary references disclose interrupting the basic process to execute an interrupt signal. Sheirik discloses a timing sequence, see column 23 and 24 and real time control in column 31. With the ability to use multiple expert systems in the manufacturing process, plural timers will be used in parallel. Moyer et al. disclose a method of using interruptible signal in a complex multiple process system. See at least Fig. 1, 2, 5-7 and related text. The system has the ability to evaluate multiple interrupt signals and timed events. One of ordinary skill

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in the art at the time the invention was made would have recognized that the teachings of these references could be applied to any semiconductor processing stage and thus enable greater throughput while still addressing any condition.

4. Claims 12 – 16 and 18 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over The Prior Art in view of Moyer et al. (US 6,637,022) Sheirik (5,058,043).

The references have been discussed in paragraph 2. The references do not give specific details about the timing values/durations. Those of ordinary skill in the art in adapting the teaching to the processes would know what timing value or durations to use.


#### ***Response Data***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. Rutledge whose telephone number is (703) 308-1697. The examiner can normally be reached on Mon - Thurs, 6:00 AM - 2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

  
D. Rutledge  
Primary Examiner  
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dr  
July 28, 2003